

ORIGINAL

STEPTOE & JOHNSON LLP

ATTORNEYS AT LAW

1330 Connecticut Avenue, NW
Washington, DC 20036-1795

Telephone 202.429.3000
Facsimile 202.429.3902
www.step toe.com

Thomas M. Barba
202.429.8127
tbarba@step toe.com

EX PARTE OR LATE FILED

December 23, 1999

RECEIVED

DEC 23 1999

EX PARTE SUBMISSION

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Re: In the Matter of Communications Assistance for Law
Enforcement Act, CC Docket No. 97-213**

Dear Ms. Salas:

The Telecommunications Industry Association ("TIA") respectfully requests that the enclosed status report be included in the record of this proceeding. Pursuant to 47 C.F.R. § 1.1206, an original and one copy of this filing are submitted. Please do not hesitate to contact me if you have any questions.

Sincerely,

Thomas M. Barba

Thomas M. Barba

encl.

No. of Copies rec'd 0+1
LHM ABCDE

EX PARTE OR LATE FILED

RECEIVED

DEC 23 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY



December 23, 1999

The Honorable William E. Kennard
Chairman
Federal Communications Commission
445 12th Street, S.W.,
Washington, DC 20554

STATUS REPORT

**Re: In the Matter of Communications Assistance for Law
Enforcement Act, CC Docket No. 97-213**

Dear Chairman Kennard:

The Telecommunications Industry Association ("TIA") is pleased to submit the following status report on its progress in implementing the two responsibilities entrusted to it by the Federal Communications Commission.

In its *Third Report and Order*, the Commission "remand[ed] the interim standard [J-STD-025] to Subcommittee TR 45.2 of the TIA to make the necessary technical modifications in accord with our findings."¹ The Commission observed that "those technical modifications can be most efficiently implemented by permitting the Subcommittee to make the modifications," noting that "[law enforcement agencies], carriers, and manufacturers are voting members of the Subcommittee and the Subcommittee has the experience and resources in place to resolve these issues quickly."²

TIA appreciates the confidence expressed by the Commission. As discussed below in more detail, Subcommittee TR 45.2 has taken every effort to make the revisions to J-STD-025 in the most expeditious (but technically thorough) manner possible. TIA is pleased to report that the standards group has made substantial progress. There have been very few significant technical or legal disagreements and with the exception of one issue (discussed separately), law enforcement and industry have been able to resolve any such disagreements quickly and amicably. As a result, the standards group has already completed the majority of its substantive modifications to J-STD-025. After one more careful "verification and validation" review at the

In the Matter of Communications Assistance for Law Enforcement Act, *Third Report and Order*, CC Docket No. 97-213, FCC 99-230, ¶ 128 (rel. August 31, 1999) ("Third Report & Order").

² *Id.*



group's January meeting, TIA hopes to release the document for ballot -- several months prior to the Commission's suggested deadline of March 30, 2000.

In its *Third Report and Order*, the Commission also "invited TIA to study CALEA solutions for packet-mode technology and report to the Commission in one year on steps that can be taken, including particular amendments to J-STD-025, that will better address privacy concerns."³ TIA has formed a working group, drawing on the technical expertise of its various standards committees, to prepare this report. In order to expand the technical expertise contributing to this report and to ensure a thorough analysis, TIA also plans to invite other packet-oriented technical groups (such as the Internet Engineering Task Force and the ATM Forum) to participate in a Joint Experts Meeting to be held on April 18-20, 2000. Representatives from the Commission are strongly encouraged to attend this meeting.

I. Standardization

TIA appreciates the confidence expressed by the Commission in remanding to TIA's Engineering Subcommittee TR 45.2 the responsibility for revising J-STD-025. As the Commission is aware from previous submissions by TIA, TR 45.2 takes the responsibility entrusted to it by the Commission very seriously.⁴

As early as last December, anticipating the Commission's delegation, TR 45.2 had put in place the framework to conduct this technical work. TIA issued a project number (PN-4465), authorizing the revision and eventual ballot of a modified J-STD-025 (to be known as J-STD-025A). It also convened a special Lawfully Authorized Electronic Surveillance ("LAES") working group to undertake the standardization effort -- consisting, as the Commission noted, of representatives from law enforcement, wireless and wireline telecommunications carriers, and switch manufacturers (and chaired by representatives from Nokia and Bell Atlantic).⁵

³ Third Report & Order, ¶ 55.

⁴ See generally, Comments of the Telecommunications Industry Association, CC Docket No. 97-213 (December 14, 1998); Reply Comments of the Telecommunications Industry Association, CC Docket No. 97-213 (January 27, 1999); Ex Parte Notice by the Telecommunications Industry Association, CC Docket No. 97-213 (July 12, 1999).

⁵ As always, participation on the working group was open to any party with a "direct and material interest in a Standard." Such groups could participate by applying to TIA and paying the appropriate "non-member engineering participation fee." See TIA Comments, at 10-11 (referencing TIA's Engineering Manual).

The LAES working group held several conference calls just prior to and after the release of the Commission's *Third Report and Order*. Its first face-to-face meeting was held, less than three weeks later, on September 22nd through 24th. In order to maximize participation from interested parties, this first meeting was held at the Federal Bureau of Investigation's CALEA Implementation Section facilities in Chantilly, Virginia. During this meeting the LAES working group adopted a proposed schedule that would have completed a ballot-ready revision to J-STD-025 by the Commission's proposed deadline.⁶

Since then, the working group has been meeting several days each month to complete this task:

September 13, 1999	Conference Call
September 22-24, 1999	Completed Stage 1 text
October 22-24, 1999	Worked on Stage 2 text
November 15-17, 1999	Completed Stage 2 text
December 6-7, 1999	Completed Stage 3 text

There have been very few significant technical or legal disagreements and, as a result, the working group has consistently run ahead of its proposed work schedule. At the end of its most recent meeting (December 6-7), the LAES working group was able to recommend that the text should be "baselined" (i.e., treated as stable and basically completed) -- two months ahead of schedule.

Although the working group has developed detailed, technical modifications to J-STD-025, there are still several important rounds of reviews that need to be completed before the revised standard (J-STD-025A) can be formally released. The LAES working group plans to conduct a careful validation and verification ("V&V") review of the standard at its January 19-21, 2000 meeting. The purpose of V&V is to identify any unresolved issues and to establish final consensus that the document is ready for ballot. It also permits a thorough, line-by-line editing to finalize the document for ballot.

⁶ The proposed work schedule was as follows:

October 1999	Baseline (i.e., complete) Stage 1 text
December 1999	Baseline Stage 2 text
February 2000	Baseline Stage 3 text
March 2000	Verification & Validation (V&V) – go to ballot
April-May 2000	TIA and Committee T-1 ballot
June 2000	Ballot Comment Review.

In its previous comments, TIA provided a general summary of the standardization process and explained these various phases. *See, e.g.*, TIA Comments, at 10-14.

If V&V were completed during the LAES working group's January meeting, the revised standard would be ready to go to ballot -- several months prior to the Commission's suggested deadline of March 30, 2000. Because J-STD-025 is a joint standard sponsored by both TIA and Committee T1 of the Alliance for Telecommunications Industry Solutions ("ATIS"), the revisions to J-STD-025 have to be balloted by both TIA and Committee T1. Both TIA and Committee T1 require ballot periods of approximately 30 days.

If possible, the LAES working group plans to address any ballot comments that may be submitted during the review period at a meeting on March 22-24, 2000. The group hopes that this would let them complete ballot review and release a final J-STD-025A by the end of March. The working group's best case schedule for completing the revised standard is as follows:

January 19-21, 2000	Verification and Validation
February 1-March 3, 2000	Ballot
March 22-24, 2000	Ballot Review

However, if there were any delays in V&V or releasing the standard for balloting, it is possible that the ballot review meeting would have to be postponed. Also, it is worth noting that the ballot review process can be lengthy and could require more than one meeting -- depending on the number and type of comments raised. Voting parties can respond in three ways to the revisions: affirmative, affirmative with comments and negative with comments. During ballot review, every attempt is made to resolve all comments.

TIA will keep the Commission apprised of TR 45.2's progress. It will ensure (working with Committee T1) that the administrative process of balloting J-STD-025A is done in the most expeditious manner possible, consistent with its obligations as an ANSI-accredited standards organization. TIA is pleased at the progress made by the LAES working group and that the spirit of the Commission's instructions -- a detailed, stable set of technical revisions to J-STD-025 -- has already been achieved.

II. Packet Data Report

TIA also is pleased to report that it has made progress in preparing the study requested by the Commission on "CALEA solutions for packet-mode technology." TIA has formed a working group, drawing on the technical expertise of its standards committees, to prepare this report. The working group, chaired by representatives from AT&T and GTE, will seek comments from all relevant TIA standards committees -- such as TR 41.3.3 ("Voice-Over-Internet Protocol Transmission Performance"), TR 45.2 ("Wireless Intersystem Technology"), and TR 45.6 ("Adjunct Wireless Packet Data Technology").

However, TIA fully realizes that the scope of the Commission's request is expansive and calls for expertise that may not completely reside in the TIA standards committees. Accordingly, in order to expand the technical expertise contributing to this report and to ensure as thorough an analysis as possible, TIA also plans to invite a broad range of other packet-oriented technical groups (e.g., the Internet Engineering Task Force ("IETF"), the ATM Forum, Committee T1-P1, PCIA's Paging Technical Committee, the Wireless Data Forum) to participate in a Joint Experts Meeting ("JEM") to be held on April 18-20, 2000.⁷ The purpose of the meeting will be to discuss the technical issues raised by the Commission and to seek contributions that can be incorporated in the report that TIA will draft. Representatives from the Commission are strongly encouraged to attend the JEM.

Invitations should be issued in the next week or two. TIA's working group has sought to identify and invite as many industry groups as possible, but may have missed some relevant groups. Participation is not meant to be limited to those groups specifically invited, and other interested technical groups will be encouraged to contact TIA to learn more about the Joint Experts Meeting. A Question and Answer session will be held on January 25, 2000 to discuss the scope of the JEM and the subsequent report to be prepared by TIA. TIA views its mandate from the Commission to be narrow -- and plans to limit the scope of its effort to technical issues only. The JEM and TIA's report will not address legal issues such as what constitutes call-identifying data or whether particular technologies are covered or not by CALEA. Those legal questions are outside of the scope of the Commission's request and will not be discussed during the JEM.

III. "Meet Me" Conference Bridge Services

As mentioned above, the only dispute that the LAES working group was unable to resolve concerned "meet me" conference bridge services. During the November and December meetings, the Federal Bureau of Investigation introduced contributions, proposing technical requirements for providers of "meet me" conference bridges.⁸

The working group felt uncomfortable standardizing for these services for several reasons. First, the working group lacked technical expertise in the services and their capabilities.

⁷ See Draft Committee Correspondence, TR45.2/99.10.14.05 (Attachment A).

⁸ See FBI Contribution, "Recommendations for Reporting Conference Callings and Miscellaneous Changes," TR 45.2.LAES/99.11.15.09 (Attachment B); FBI Contribution, "Definition of 'Meet-Me' Conference Service," TR 45.2.LAES/99.12.06.09 (Attachment C); FBI Contribution, "Definition of 'Meet-Me' Conference Service - Revised," TR 45.2.LAES/99.12.06.14 (Attachment D).

There were no representatives of “meet me” conference bridge providers or vendors among the working group and none of the representatives expressed any personal knowledge about the equipment. As the Commission is aware, the working group is mainly comprised of cellular, broadband PCS and local wireline carriers (who offer “switch-based” but not “conference-bridge-based” teleconferencing services) and their major switch vendors.

Moreover, the working group was unable to identify any standards for conference bridge services that could be used as a reference. The working group’s general instinct was that conference bridge equipment is not standardized but usually proprietary equipment, cobbled together by each provider from a variety of different vendors. As a result, the working group concluded that it had insufficient technical knowledge about conference bridge services to write a standard for these services (especially, considering that the services were probably not standardized to begin with).⁹

Second, there was an honest disagreement about the requirements of the Commission’s *Third Report and Order*. As demonstrated by a contribution from the Cellular Telecommunications Industry Association, it is not clear what obligations (if any) the Commission intended to impose on the providers of conference bridge services.¹⁰ The *Third Report and Order* notes that “a meet-me conference bridge will ordinarily constitute a separate ‘facility’ from the local switch associated with the subscriber’s own directory number” and, as a result, law enforcement needs a separate Title III order to monitor the conference bridge.¹¹ In those circumstances, the Commission properly observed, the provider of the conference bridge would have to comply with the order by providing access to the bridge.¹²

As the Commission is aware, a number of providers of telecommunications-related services (such as PBX operators) are exempted from CALEA, but still required to comply with valid court orders. In the legislative history to CALEA, Congress noted that these services “can be wiretapped pursuant to court order, and their owners must cooperate when presented with a

⁹ See, e.g., Meeting Report: November 15-17, 1999, TR 45.2.LAES/99.12.06.02, at 3 (Attachment E) (“There is some concern within the group about writing a standard for surveillance for a service or portion of the network for which there are no representatives in the LAES group and for which the group is unable to identify a published standard to use as a reference.”).

¹⁰ CTIA Contribution, “‘Meet Me’ Conferencing,” TR45.2.LAES/99.12.06.11 (Attachment F).

¹¹ Third Report & Order, ¶ 67 & n. 130.

¹² *Id.*, ¶ 67.

wiretap order, but these services and systems do not have to be designed so as to comply with the capability requirements."¹³ It is not clear whether the Commission's statements in its *Third Report and Order* were intended simply to reference these non-CALEA obligations (as CTIA maintains) or as a formal determination that conference bridge providers are covered by CALEA (as the FBI maintains).

For these reasons, TR 45.2 elected not to standardize CALEA requirements for this equipment, rather than attempt to make determinations about a service with which it had no technical expertise (or clear legal guidance). TIA agrees with the LAES working group's decision. TIA would encourage the Commission to clarify its statements from the *Third Report and Order*. Before doing so, the Commission may wish to seek comments from conference bridge providers and vendors, since J-STD-025 (and, as a result, the record before the Commission) did not address this segment of the industry.

IV. Conclusion

TIA appreciates the responsibilities entrusted to it by the Commission. TIA hopes to complete these responsibilities in a timely basis and will keep the Commission apprised of its progress. In the meantime, if you have any questions, please do not hesitate to contact me.

Pursuant to 47 C.F.R. § 1.1206, copies of this status report will be filed with the Commission's Secretary. TIA is also providing copies of this letter to several of the Commission staff involved in this proceeding.

Sincerely,



Grant Seiffert
Vice President, Government Relations

cc (w/encl.): The Honorable Harold Furchtgott-Roth
The Honorable Susan Ness
The Honorable Michael Powell
The Honorable Gloria Tristani

¹³ H. Rep. No. 103-827, at 18 (1994).



COMMITTEE CORRESPONDENCE

Ms. Cheryl Blum
Chair, TR-45.2
Lucent Technologies
263 Shuman Blvd.
Naperville, IL 60566

[Greeting and list of industry groups: To: TR45, CC: TR45 subcommittees, IETF, UWCC, CDG, CTIA]

When J-STD-025, the industry solution for the Communications Assistance for Law Enforcement Act (CALEA), was originally published in 1997, the Center for Democracy and Technology (CDT), along with other privacy groups, filed petitions with the FCC concerning delivery of packet-data information and privacy issues. As stated in FCC Docket 99-230, "CDT states that carriers using packet technologies have an obligation under CALEA to protect privacy by distinguishing between call content and call-identifying information, so that an LEA does not intercept the former when it has only the narrower authority for the latter." Accordingly, the FCC sees the current J-STD-025 solution, "including call-identifying information and call content", as a suitable temporary remedy, but "recognize[s] that, in view of the growing importance of packet-mode communications, a timely permanent solution is essential," and expects "that TIA will deliver a report to [the FCC] no later than September 30, 2000 that will detail a permanent solution, keeping in mind the objectives underlying CALEA" and attempting to address the privacy concerns of CDT.

The FCC Third Report and Order (R&O) requires that the industry begin delivering packet-mode communications to Law Enforcement no later than September 30, 2001. The FCC R&O allows for this delivery to be implemented based on the interim standard solution. If the permanent solution is determined to be different from the interim standard solution, and the work to determine this is done according to the schedule proposed in the FCC R&O, this would require the industry to implement both the interim standard solution to meet the September 30, 2001 date, and later, the permanent solution. If the permanent solution is available by March 2000, eighteen months in advance of the required implementation date, other options may be available to the industry.

TR45.2 recommends that TR45 form an ad hoc group whose activities will culminate in a Joint Experts' Meeting (JEM) to develop an industry position which would then be formally drafted by TIA to produce the whitepaper requested by the FCC R&O. All related industry groups should be invited to join in this effort (e.g., other TR45 subcommittees, T1S1, T1P1, UWCC, IETF, CDG, ATM Forum). This can be accomplished through the following steps:

- (a) A conference call should be arranged for planning purposes and to schedule a tutorial meeting for background on the CALEA J-STD-025 & legal issues concerning the determination of implementing the separation of Call Identifying Information & Call Content with Packet Data. This conference call should include leadership from the industry groups to be involved.

(This correspondence represents "working papers." Therefore, the contents cannot be viewed as reflecting the corporate policies or the views of the Telecommunications Industry Association or of any company. The Association, the companies and individuals involved, take no responsibility in the application of contents of this document.)



As the lead group for CALEA activities, TR45.2, in conjunction with CTIA, should arrange for the necessary resources and materials required for the tutorial session.

- (b) Encourage each forum being invited to participate in the TR45 ad hoc to begin work as soon as possible on forming comments from that segment of the industry.
- (c) Schedule and complete the JEM no later than February 28, 2000, with output directed to TIA for final drafting of a whitepaper addressing specific direction (Stage 1) for a J-STD-025 revision if determined practical to implement. **The JEM needs to be viewed as the meeting at which the industry's technical position is to be finalized.**

Please find attached the following items:

- (a) Joint Standard J-STD-025—sections 4.5.2 PacketData IAP, 5.4.3 CCOpen, 5.4.6 Packet Envelope, 6.3.3 CCOpen Message, 6.3.6 Packet Envelope Message, 6.4.8 PDUType,
- (b) Paragraphs 47 through 56 of the FCC's Third Report and Order on CALEA (FCC Docket 99-230) which pertain to packet-mode communications, and
- (c) The stage 1 (user perspective) approved baseline for revision A of J-STD-025 (PN-4465).

Sincerely,

Cheryl J. Blum
Chair, TR-45.2

B

PROJECT: Lawfully Authorized Electronic Surveillance (LAES)

TITLE: Recommendations for Reporting Conference Calling and Miscellaneous Changes.

SOURCE: Federal Bureau of Investigation (FBI) – CALEA Implementation Section (CIS)

CONTACT: Mr. Lou Degni
Phone: (703) 814-4729
14800 Conference Center Drive, Suite 300
Chantilly, VA 20151
Fax: (703) 814-4720

DATE: November 15, 1999 (San Antonio)

DISTRIBUTION: TIA Subcommittee TR45.2, Intersystem Operations

ABSTRACT: This contribution recommends changes and additions to address Stage 2 of PN-4465.

The contributor grants a free, irrevocable license to the Telecommunications Industry Association (TIA) to incorporate text in this contribution and any modification in the creation of a TIA standards publication; to copyright in TIA's name any TIA standards publication even though it may contain portions of this contribution; and at TIA's sole discretion to permit others to reproduce in whole or in part the resulting TIA standards publication.

TIA committee participants are granted permission to copy any portion of this contribution for the legitimate TIA purposes. Copying for monetary gain or other non-TIA related purposes is prohibited.

The contributor does not hold any patents that cover the standard for which the contribution has been made.

This contribution has been prepared to assist the TIA. It may be modified, amended, or withdrawn at any time and it is not binding on the contributor. Nothing in this contribution shall be construed as conferring by implication, estoppel, or otherwise any license or right under any patent, or copyright. The contributor reserves the right to use all material submitted in this contribution for the contributor's own purposes including replication and distribution to others. Publication and distribution of this contribution does not constitute any commitment by the FBI to design, develop, purchase, reimburse others, or implement the products or services described herein.

A. FCC Specifies Conference Calling Capability Includes ‘Meet-me’ Conferences:

Discussion: The FCC, in their 3rd Report and Order (para 65-67), stated that:

“Conference calling features include various types of multi-party calls, such as three-way calling..., as well as ‘meet me’ or conference bridge services...”

Defining the meet-me conference as a type of conference calling feature, all content delivery requirements for conference calls apply to meet-me conferences. The FCC states,

“We recognize, as DoJ/FBI acknowledge, that if the subject arranges for a ‘meet me’ conference bridge, the LEA will need a Title III order to cover the communication of the conference bridge. Under those circumstances, the carrier that provides the conference bridge should provide an IAP to the LEA.¹”

1. “In some cases, the subject’s carrier and the conference bridge carrier may be the same and, indeed, the bridge may be located in the subscriber’s serving switch. Thus, in some cases the carrier and the LEA may agree to locate one IAP at a point capable of capturing all communications covered by Title III authority.”

The surveillance order is for a meet-me conference bridge, not any particular subscriber or directory number. Therefore, content delivery must be delivered for the duration specified in the lawful authorization for that conference bridge.

Recommendations:

1. Add the following to Section 4.7.2-Conference Circuit IAP - Content of Subject-initiated Conference Calls:

“The conference call capability applies to various types of multi-party calls, such as three-way calling, as well as ‘meet me’ or conference bridge service. The carrier providing the ‘meet me’ conference capability shall provision a CCC to provide content delivery for the duration of the lawfully authorized surveillance for that ‘meet me’ conference.”

2. The LAES Ad Hoc Group should add the following definition to PN-4465.

Conference Calling: Capability that include various multi-party calls, such as three-way calling, as well as “meet me” or conference bridge services. From the collection function’s perspective, a conference exists when more than two party identities have been associated by previous LAES messages to a single call-identity or when the Change message has grouped call-identities to identify a single conversation.

3. Replace “subject-initiated conference call” with “subject-initiated or ‘meet me’ conference call” where ever this appears in PN-4465.

B. Party Hold, Join, and Drop

Discussion: The FCC in the 3rd R&O distinguishes between three different types of information required for law enforcement. The FCC states (para 68):

“The party hold message would be provided whenever one or more parties are placed on hold.

The party join message would report the addition of a party to an active call or the reactivation of a held call.

The party drop message would report when any party to a call is released or disconnects and the call continues with two or more other parties.”

The FCC again specifies the requirement to distinguish between a temporary and permanent disconnect in paragraph 74:

“Party join information identifies the origin of a communication;

Party drop, the termination of a communication; and

Party hold, the temporary origin, temporary termination, or re-direction of a communication.

This capability also appears to be necessary to enable the LEA to isolate call-identifying and content information because, without it, the LEA would be unable to determine who is talking to whom, and, more accurately, to focus on the subject's role in the conversation.”

The FCC requires the delivery of information so that a LEA can distinguish between a party that was placed on hold (“temporary termination”) and parties that have permanently disconnected (“termination of communication”) from the call.

Recommendations:

1. Recommend that the Connection and ConnectionBreak messages be used to report any changes in connections to calls under surveillance in order “to determine who is talking to whom, and, more accurately, to focus on the subject's role in the conversation.”

2. Use the following parameter in the Connection and ConnectionBreak messages:

Parameter	Usage
One of: ConnectedParties HeldParties DisconnectedParties	(Include appropriate text)

The party disconnect reporting via the Connection and ConnectionBreak messages is not required when such reporting is accomplished by other LAES call event messages.

C. NetworkSignal Message Text

Discussion: The current text for Section 5.4.6 states:

“The NetworkSignal message reports signals **generated or sent** by the IAP switch to the intercept subject’s terminal using the facilities under surveillance. The Network Signals reported by the NetworkSignal message are signals **originated and applied** by the accessing system IAP towards the intercept subject.”

Recommendation: For consistency with the FCC’s 3rd R&O, as well as previous text within PN-4465 we recommend changing the “and” to “or” in the second sentence of the current text (Section 5.4.6). The recommended text would read:

“The NetworkSignal message reports signals **generated or sent** by the IAP switch to the intercept subject’s terminal using the facilities under surveillance. The Network Signals reported by the NetworkSignal message are signals **originated or applied** by the accessing system IAP towards the intercept subject.”

c

PROJECT: Lawfully Authorized Electronic Surveillance (LAES)

TITLE: Definition of "Meet-Me" Conference Service.

SOURCE: Federal Bureau of Investigation (FBI) –
CALEA Implementation Section (CIS)

CONTACT: Mr. Lou Degni
14800 Conference Center Drive, Suite 300
Chantilly, VA 20151
Phone: (703) 814-4729
Fax: (703) 814-4720

DATE: December 6, 1999 (Kauai)

DISTRIBUTION: TIA Subcommittee TR45.2, Intersystem Operations

ABSTRACT: This contribution recommends a definition of "Meet-Me"
Conference Service.

The contributor grants a free, irrevocable license to the Telecommunications Industry Association (TIA) to incorporate text in this contribution and any modification in the creation of a TIA standards publication; to copyright in TIA's name any TIA standards publication even though it may contain portions of this contribution; and at TIA's sole discretion to permit others to reproduce in whole or in part the resulting TIA standards publication.

TIA committee participants are granted permission to copy any portion of this contribution for the legitimate TIA purposes. Copying for monetary gain or other non-TIA related purposes is prohibited.

The contributor does not hold any patents that cover the standard for which the contribution has been made.

This contribution has been prepared to assist the TIA. It may be modified, amended, or withdrawn at any time and it is not binding on the contributor. Nothing in this contribution shall be construed as conferring by implication, estoppel, or otherwise any license or right under any patent, or copyright. The contributor reserves the right to use all material submitted in this contribution for the contributor's own purposes including replication and distribution to others. Publication and distribution of this contribution does not constitute any commitment by the FBI to design, develop, purchase, reimburse others, or implement the products or services described herein.

Discussion:

Telephony's Dictionary, 2nd Edition, 1986:

“Meet-Me Conference— A conference call facility by which the dialing of a particular number routes the caller to a multi-line bridge enabling him to join the conference.”

Newton's Telecom Dictionary, 13th edition, 1998:

“Meet-Me Conference— An arrangement by which parties can dial a specific, pre-determined directory number and security access code to join a conference with other participants. Parties are automatically connected to the conference through a conference bridge. Conference participants may call in at a preset time or may be directed to do so by a conference coordinator. Meet-Me Conferences may be set up through a teleconferencing service provider, generally with the capability to conference through a phone system, such as a PBX, key system or hybrid. Some phone systems restrict this to intercom circuits only. In almost all phone systems there is a maximum number of parties that can be connected in such conference at one time.”

From Law Enforcement's perspective, a “meet-me” conference bridge ordinarily constitutes a separate “facility” from the local switch facilities associated with a subscriber's own directory number. In a case where a law enforcement agency obtains lawful authorization to conduct surveillance of a specific “meet-me” conference call taking place on that bridge, the telecommunication carrier providing the service that supports that call should ensure the capability to carry out the interception. See generally Third Repot and Oder, ¶67 and n.130. Of course, this obligation would include providing both call content and call-identifying data, including information on who is talking to whom at all times.

The surveillance of the “meet-me” conference means that the conference facilities associated with that call is the intercept subject, as defined in J-STD-025. As the intercept subject, the identity of the specific conference call (the terminating party) would therefore be used to trigger the delivery of messages and content.

The text currently in PN-4465 indicates that meet-me conferences would be intercepted in the switch as two-way calls. The presumption is that call-identifying information and call content would be provided by the switch on all calls to a particular DN. This methodology might be insufficient to ensure the capability to conduct lawfully authorized surveillance of a specific “meet-me” conference call. In some systems, the DN alone is not specific enough to identify one particular conference call from another one that might be occurring within the same conference bridging device. In those cases, the solution described in the current text could produce an anomalous result, in which the carrier delivers call content from other conference calls not subject to the surveillance authorization.

Recommendations: Add the following text to PN-4465, Annex X—Meet-Me Conference Capability:

The “meet-me” conference capability applies to various types of meet-me or conference bridge services. The carrier providing the meet-me conference capability shall make it possible for an LEA to order and acquire a CCC to provide content delivery for the duration of the lawfully authorized surveillance for that meet-me conference.

The meet-me conference capability is a conference call service or facility that permits parties to dial a specific, pre-determined directory number and optionally a security access code to join a conference with other participants. Parties are automatically connected to the conference through a multi-line conference bridge. Meet-me conferences may be provided by a telecommunications service provider or by a telecommunications support service provider (teleconferencing service provider)¹. Conference facilities may be internal or external to a switching system. However, the access directory numbers for the conference facility are homed on a particular switch.

From the collection function’s perspective, a conference exists when more than two party identities have been associated by previous LAES messages to a single call-identity or when the Change or ConferencePartyChange message has grouped call identities to identify a single conversation. However, for a meet-me conference, as defined in this interim standard, call identifying information will be reported by a set of LAES messages such as: TerminationAttempt, CCOpen, Answer, CCClose, and Release messages. Therefore, a different call identity could be used for each participant. Those messages will be generated and sent by the switch owning the directory numbers for the meet-me conference. The Interim Standard assumes that all calls to the directory number are related to the conference under surveillance. If additional information, such as a passcode or PIN number is required to identify participants of the meet-me conference, an additional means of reporting that information should be provided. It is understood that a call to an off-switch conference facility may be completed (i.e., set-up results in TerminationAttempt and Answer messages) prior to the input of passcode information to the network.

Meet-me conference call content can be accessed either at the switch or at an off-switch conference facility. Access at the switch would require a CCC for each participant. Access ~~at the~~ conference facility would require a single CCC for the conference. Law enforcement recommends the use of a single CCC for the duration of a meet-me conference. If access is being provided at the switch, an implementation shall ensure that CCCs are invoked and content is delivered only for those calls that terminate on the meet-me conference call taking place on the facilities under surveillance.

¹ See CALEA Section 106, Cooperation of Equipment Manufacturers and Providers of Telecommunications Support Services.

D

PROJECT: Lawfully Authorized Electronic Surveillance (LAES)

TITLE: Definition of "Meet-Me" Conference Service — Revised

SOURCE: Federal Bureau of Investigation (FBI) –
CALEA Implementation Section (CIS)

CONTACT: Mr. Lou Degni
14800 Conference Center Drive, Suite 300
Chantilly, VA 20151
Phone: (703) 814-4729
Fax: (703) 814-4720

DATE: December 6, 1999 (Kauai)

DISTRIBUTION: TIA Subcommittee TR45.2, Intersystem Operations

ABSTRACT: This contribution recommends a resolution to the inability to standardize surveillance of non-standard "Meet-Me" conference services.

The contributor grants a free, irrevocable license to the Telecommunications Industry Association (TIA) to incorporate text in this contribution and any modification in the creation of a TIA standards publication; to copyright in TIA's name any TIA standards publication even though it may contain portions of this contribution; and at TIA's sole discretion to permit others to reproduce in whole or in part the resulting TIA standards publication.

TIA committee participants are granted permission to copy any portion of this contribution for the legitimate TIA purposes. Copying for monetary gain or other non-TIA related purposes is prohibited.

The contributor does not hold any patents that cover the standard for which the contribution has been made.

This contribution has been prepared to assist the TIA. It may be modified, amended, or withdrawn at any time and it is not binding on the contributor. Nothing in this contribution shall be construed as conferring by implication, estoppel, or otherwise any license or right under any patent, or copyright. The contributor reserves the right to use all material submitted in this contribution for the contributor's own purposes including replication and distribution to others. Publication and distribution of this contribution does not constitute any commitment by the FBI to design, develop, purchase, reimburse others, or implement the products or services described herein.

Discussion:

From Law Enforcement's perspective, a "meet-me" conference bridge ordinarily constitutes a separate "facility" from the local switch facilities associated with a subscriber's own directory number. In a case where a law enforcement agency obtains lawful authorization to conduct surveillance of a specific "meet-me" conference call taking place on that bridge, the telecommunication carrier providing the service that supports that call should ensure the capability to carry out the interception. See generally Third Report and Order, ¶67 and n.130. Of course, this obligation would include providing both call content and call-identifying data, including information on who is talking to whom at all times.

Recommendation: Add the following text to PN-4465, Section 4.1, Overview, line 21:

The "meet-me" conference capability applies to meet-me or conference bridge services. The meet-me conference capability is a conference call service or facility that permits parties to dial a specific, pre-determined directory number and optionally a security access code to join a conference with other participants. Parties are connected to the conference through a multi-line conference bridge. Meet-me conferences may be provided by a telecommunications service provider or by a telecommunications support service provider (teleconferencing service provider)¹. Conference facilities may be internal or external to a switching system.

There are no widely available standards that define the operation or functionality of "meet-me" conferences and there are no standards bodies devoted to developing any such standards. Therefore, solutions for performing lawfully authorized electronic surveillance on these non-standardized services also will not be standardized. CALEA permits TSPs to meet Section 103 requirements independent of a standard. It is therefore expected that providers of "meet-me" conference services will provide individualized solutions for electronic surveillance outside the scope of this Interim Standard.

The TSP providing the meet-me conference capability shall provide a solution, pursuant to the lawful authorization, for delivering to law enforcement call content and call-identifying information, which includes identifying who is connected to the conference at all times.

¹ See CALEA Section 106, Cooperation of Equipment Manufacturers and Providers of Telecommunications Support Services.

E

TR45.2 LAES Ad Hoc Group
Meeting Report
November 15-17, 1999

TR45.2.LAES/99.11.15.01	Chair	Meeting Agenda
TR45.2.LAES/99.11.15.02	Chair	October Meeting Report
TR45.2.LAES/99.11.15.03	Editor	PN-4465 Working Document
TR45.2.LAES/99.11.15.04	CTIA	Capacity: Proper Provisioning of Call Content Channels
TR45.2.LAES/99.11.15.05	Motorola	Stage 1 Dialed Digit Extraction
TR45.2.LAES/99.11.15.06	Nokia	CCC Provisioning
TR45.2.LAES/99.11.15.07	Motorola	Conference Call Reporting
TR45.2.LAES/99.11.15.08	Telcordia, SBC, US West, BellSouth	Proposed changes to Stage 1 text to refocus the scope of Sections 4.3, 4.4, 4.5, 4.6 and 4.7 and to clarify access to content of subject-initiated multi-party calls
TR45.2.LAES/99.11.15.09	CIS	Recommendations for Reporting Conference Callings and Miscellaneous Changes
TR45.2.LAES/99.11.15.10	Nortel Networks	Stage 2 Subject Signal Text
TR45.2.LAES/99.11.15.11	Telcordia, SBC, US West, BellSouth	Proposal to move Adopted Stage 2 text in Section 5.4.3, CCOpen
TR45.2.LAES/99.11.15.12	Telcordia, SBC, US West, BellSouth	Proposed Stage 2 text for Connection and ConnectionBreak messages
TR45.2.LAES/99.11.15.13	Telcordia, SBC, US West, BellSouth	Proposed changes to Stage 2 text for DialedDigitExtraction message
TR45.2.LAES/99.11.15.14	Telcordia, SBC, US West, BellSouth	Proposed changes to Stage 2 text for NetworkSignal message
TR45.2.LAES/99.11.15.15	Telcordia, SBC, US West, BellSouth	Proposed changes to Stage 2 text for SubjectSignal message
TR45.2.LAES/99.11.15.16	Telcordia, SBC, US West, BellSouth	Proposed Stage 3 text
TR45.2.LAES/99.11.15.17	Lucent	Stage 1 IAP Qualifying Text
TR45.2.LAES/99.11.15.18	Motorola	Conference Call Intercept Reporting
TR45.2.LAES/99.11.15.19	Telcordia, SBC, US West, BellSouth	Corrections to Stage 3 text "adopted as modified" from Contribution #16
TR45.2.LAES/99.11.15.20	Telcordia, SBC, US West, BellSouth	Proposed Changes to Stage 2 and 3 text for Connection and Connection Break messages
TR45.2.LAES/99.11.15.21	Motorola	Restructuring agreements from contribution 08

Introductions/Attendance

Contribution Distribution

Agenda Approval

Contribution 01 was *Accepted as Modified*.

Review Meeting Report

Contribution 02 was reviewed and *Accepted*.

Liaisons/Correspondence

CIS expressed their appreciation of the fact that the LAES group is running ahead of the formal schedule.

No report from CTIA.

T1S1 has approved an ad hoc group to address PN-4465 and packet-data issues. No chair has been appointed.

T1P1 has approved an ad hoc group to address PN-4465 and packet-data issues. Ron Ryan is the chair for this ad hoc. This group is meeting on November 18.

No report from T1M1.

Old Business

Contribution 03 from the editor is the working document. The text was reviewed, including the most recent changes to remove some of the stage 2 text that had been stored in the stage 1 sections during the Chantilly meeting. A portion of this was deferred and addressed by other contributions.

Stage 1

Contribution 04 from CTIA proposes a new assumption concerning provisioning of CCCs. The following assumption will be added: "Whenever a capability is described in this interim standard, it is assumed that law enforcement agencies shall order and acquire adequate capacity in a timely manner for the capability to be performed." *Accepted as Modified*

Contribution 05 from Motorola proposes text to be added to the Stage 1 DialedDigitsExtraction section to clarify the TSP's requirements. After the sentence starting "This service permits an LEA...", the following sentence will be added: "However, this service does not require a TSP to assure that a connection is with another TSP's service." *Accepted as Modified*

Contribution 08 from Telcordia, SBC, US West and BellSouth proposes restructuring and renaming of several stage 1 sections to clarify IAP access and meet-me conference text. Sections 5.3 and 5.6 will remain in the same structure as before with text changes. Sections 5.4 and 5.5 will be moved down one heading level and placed together under a section titled Call and Non-Call Associated Information Surveillance Service Description. Assignments were taken by Motorola to show the new structure and by Lucent to come up with a paragraph showing the flexibility of how different IAP functionalities could be combined and placed in the network (see contributions 21 and 17, respectively). Text changes were also accepted to clarify the meet-me conference text. *Accepted as Modified*

Contribution 09 from CIS contains recommendations for stage 1 and 2 text on changes to conference party calls, including meet-me conferences. The text for Recommendation 1 under section A which refers to meet-me conferences was *Accepted as Modified* and will be added as an informative annex in the document. An open assignment was established for a definition for meet-me conference. **There is some concern within the group about writing a standard for surveillance for a service or portion of the network for which there are no representatives in the LAES group and for which the group is unable to identify a published standard to use as a reference.** This text is considered unstable at this point and may or may not be moved into a normative section of the document depending on further findings in this area. *No Action* was taken on the other recommendations under section A. The recommendations in section A were originally deferred and then marked as *Already Discussed* based on action taken on other contributions. *No Action* was taken on Section C.

Contribution 17 from Lucent proposes stage 1 text for section 5.2.2 General Background and fulfils the assignment mentioned in the description of contribution 08. This text is *Accepted as Modified* and will be inserted as the third paragraph in this section and will read "To address the FCC 99-230 requirements, new IAPs have been defined (i.e., Subject Signal, Network Signal, Conference Circuit). In general, these IAPs indicate new, additional intercept functionality and not specific implementations. Vendor and carrier implementation may satisfy these requirements by consolidating the various IAP functionalities."

Contribution 21 from Motorola fulfils the assignment described in contribution 08 and shows the new architecture of those sections. *Accepted as Modified*

Stage 2

Contribution 06 from Nokia proposes Stage 2 text on CCC Provisioning. In the stage 2 section on CCOpen, the following text will be added above the parameter table: "Delivery of call content is dependent upon appropriate provisioning of call content channels." *Accepted*

Contribution 07 from Motorola was discussed at length. Several changes were suggested, including the addition of PartyIDs. Motorola later withdrew this contribution in lieu of the revised contribution number 18. *Withdrawn*

Contribution 09 from CIS—see description under agenda item on stage 1.

Contribution 10 from Nortel proposes a new category of signaling for the Signal parameter in the SubjectSignal message that would act as somewhat of a catch-all. The contribution was *Accepted as Modified* with the new category name being Other Signaling Information.

Contribution 11 from Telcordia, SBC, USWest, and BellSouth proposes moving the stage 2 text (from Chantilly) stored in the stage 1 section of the document be moved into the stage 2 section for CCOpen. This contribution was *Accepted*.

Contribution 12 from Telcordia, SBC, USWest, and BellSouth proposes stage 2 text for the Connection and Connection Break messages to support reporting of parties on a conference call. Contribution 18 from Motorola proposes a single message, ConferencePartyChange, for this same functionality. Contribution 20 from from Telcordia, SBC, USWest, and BellSouth proposes the Connection and ConnectionBreak messages with slightly modified text from that contained in contribution 12. After a great deal of discussion on all three contributions, Don Auble (SBC/Ameritech) proposed including all three messages proposed messages in the working document in order to allow each vendor to use the most efficient solution for their architecture. There were no objections when the question was asked for the final time. Three messages will be added to the working document: Connection, ConnectionBreak and ConferencePartyChange. The stage 2 text from all three contributions is *Accepted as Modified*. *****During this discussion we established a basic understanding within the LAES group on the functionality required by the FCC for this feature. There is agreement, with the exception of Law Enforcement, within the LAES group that the requirement is to report the parties in communication at a given time. Differentiation between a party being put on hold or removed permanently (i.e., dropped or released) is not required.** There was a request that if Law Enforcement brings this issue back up the meetings that they provide specific definitions of "hold" and "drop."

Contribution 13 from Telcordia, SBC, USWest, and BellSouth proposes changes to the stage 2 text for the DialedDigitExtraction message. The strikethroughs had been discussed in previous contributions. *No Action* was taken on the proposed modifications to the triggering events.

Contribution 14 from Telcordia, SBC, USWest, and BellSouth proposes stage 2 text changes for the NetworkSignal message including description text changes and a list of triggering events. This contribution is *Accepted as Modified*.

Contribution 15 from Telcordia, SBC, USWest, and BellSouth proposes stage 2 text changes for the SubjectSignal message. This contribution was *Accepted as Modified*.

Contribution 18 from Motorola—please see description of Contribution 12 above.

Contribution 20 from Telcordia, SBC, USWest, and BellSouth—please see description of Contribution 12 above.

Stage 3

Contribution 16 from Telcordia, SBC, USWest, and BellSouth proposes stage 3 text for all messages. The majority of this was *Accepted as Modified* with assignments pending to see the new text. The assignments came in as contribution 19.

Contribution 18 from Motorola proposes stage 3 text in alignment with their stage 2 proposal for the ConferencePartyChange message. This text was *Accepted as Modified*. The Conference Call diagram on page 5 of the contribution will be placed in a new Annex.

Contribution 19 from Telcordia, SBC, USWest, and BellSouth fulfills an assignment taken during the discussion of contribution 16. The assignment was to show the modifications agreed to for several messages in contribution 16. *Accepted as Modified*

Contribution 20 from Telcordia, SBC, USWest, and BellSouth proposes stage 3 text for the Connection and ConnectionBreak messages. This text was used as a starting point for stage 3 discussions for these messages rather than the similar text in contribution 16. *Accepted as Modified*

*****Due to the fact that the LAES group will meet again before the next TR45.2 meeting, we did not discuss going to proposed baseline on the document as it stands. We will discuss going to proposed baseline status at the end of the December meeting. The intention is to hopefully have text going into the TR45.2 Plenary (opening vs. closing not decided at this point) as proposed baseline, and to request baseline status as well as moving to V&V status on the schedule.**

New Business

LAES Workplan Review (no changes)

Develop Stage 1 text	October 1999
Develop Stage 2 text	December 1999
Develop Stage 3 text	February 2000
V&V	March 2000
Ballot	April-May 2000
Ballot review	June 2000

Assignments

- a) Ron Ryan—results of November T1 meeting on Trial Use Standard ballot review period.
- b) General assignment—Meet-me conference text

Meeting Schedule

- a) December 6 (8am) – December 8 (3pm), Kauai, Hawaii, Hyatt Regency Kauai. Rate \$169. Phone 808 742 1234.
- b) January 19 (1pm) – January 21 (3pm), Florida, Marriott Panama City. Rate \$109. Phone 800 874 7105.
- c) February 9 (9am) – February 11 (noon), San Diego, US Grant. Rate \$150. Phone 800 334 6957. Cut-off for TR45.2 is January 7. Cut-off for LAES may be earlier since we meet the week before.

Adjourn

F

**Telecommunications Industry Association
Committee TR 45.2**

LAES Ad Hoc

**December 6, 1999
Kauai, HI**

TITLE:	“Meet Me” Conferencing
---------------	-------------------------------

SOURCES:	CTIA
-----------------	-------------

DISTRIBUTION:	TR45.2 LAES Ad Hoc
----------------------	---------------------------

CONTACT:	Ed Hall, CTIA
-----------------	----------------------

ABSTRACT:	Language of the FCC regulation does not cover “meet me” conferences. The facilities under surveillance referenced in the regulation refer to the subject’s phone, not a conference bridge.
------------------	--

RECOMMENDATION:	Remove all reference to “meet me” conference capability from the document to include the informative annex
------------------------	--

NOTICE:	The contributor grants a free, irrevocable license to the Telecommunications Industry Association (TIA) to incorporate text contained in this contribution and any modifications thereof in the creation of a TIA standards publication; to copyright in TIA’s name any TIA standards publication even though it may include portions of this contribution; and at TIA’s sole discretion to permit others to reproduce in whole or in part the resulting TIA standards publication. This contribution has been prepared by CTIA to assist the Standards Committee TIA TR45. Specifically, CTIA reserves the right to modify, amend, or withdraw this contribution.
----------------	--

COPYRIGHT:	Permission is granted to TIA Committee participants to copy any portion of this document for the legitimate purposes of the TIA. Copying this document for monetary gain or other non-TIA purpose is prohibited.
-------------------	--

INTRODUCTION

At the November 14, 1999, LAES ad hoc meeting, there was extensive discussion regarding “meet me” conference calling requirements. In contribution No. 9, the FBI asserted that the FCC required modification of J-STD-025 to provide surveillance capabilities for “meet me” conference calls. The ad hoc did not accept the FBI recommendation, but did create an informative annex to reflect the capability.

CTIA disagrees with the FBI interpretation of the FCC 3rd Report & Order (“R&O”) and recommends that all reference to “meet me” conference capability be removed from the document. The fact that the FBI disagrees with this interpretation should be noted in the meeting report and brought to TIA’s attention for inclusion in its report to the FCC regarding the progress of the standards effort, which CTIA understands will be prepared once the standard is ready to send to ballot.¹

DISCUSSION

Appendix A of the R&O contains the requirements for modification of J-STD-025. It provides:

Content of subject-initiated conference calls. Capability that permits a LEA to monitor the content of conversations by all parties connected via a conference call when the facilities under surveillance maintain a circuit connection to the call.

The language of the regulation does not cover “meet me” conferences. The facilities under surveillance referenced in the regulation refer to the subject’s phone, not a conference bridge.

In paragraph 64, the FCC found that only “under *certain* circumstances ... the provision of the content of subject-initiated conference calls is a technical requirement.” In paragraph 65, the FCC merely reviewed the broad range of conference options available to carriers including “meet me” services. In paragraph 66, the FCC expressly found that the LEA is entitled to content when “the *subject's facilities* initiate the call AND are being used to participate in the call.” (emphasis added).

Thus, according to the FCC, when the subject places the call on hold and the subject’s circuit is maintained *in the carrier's network*, the content of the conference portion must

¹ Even if “meet me” conferences were covered by CALEA, CTIA would make the same recommendation because this ad hoc is not best situated to standardize the service. No manufacturer of “meet me” conference bridges commented during the FCC proceedings, nor has any such manufacturer attended the standards meetings. Not all services need to be covered in a single standard for safe harbor protection to pertain. If “meet me” conferences were covered, CTIA would recommend that TIA consider a new project number for such services.

be provided to the LEA under CALEA. Of course, in paragraph 67, the FCC reached "a different conclusion" when the subject terminates his circuit connection to the call.

Note that the FCC referred to the subject's facilities, not services, in its decision. In footnote 130, the FCC actually avoided reaching the facilities doctrine argument raised by some parties concerning the "meet me" bridge. In other words, the findings of the FCC – that "meet me" conferences are not covered – obviated the need to answer the legal argument.

At the end of paragraph 67, the FCC recognized, as the DOJ acknowledged, a LEA needs a *new* Title III for a "meet me" conference. Of course, as the FCC correctly noted, a carrier would have to provide an IAP if requested. That is to say, a carrier would have to comply with the order. This is no different than any situation not covered by CALEA, such as a trunk side wiretap or wiretaps on long distance carrier switches.

RECOMMENDATION

Delete the informative annex regarding "meet me" conferences.